

ORDINANCE NO. 030327-8

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5506 HIGHWAY 290 WEST FROM DEVELOPMENT RESERVE (DR) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from development reserve (DR) district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No.C14-02-0188, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.4713 acre tract of land, more or less, out of the Thomas Anderson League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 5506 Highway 290 West, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. Adult oriented businesses use is a prohibited use of the Property.
2. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

PART 3. The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on April 7, 2003.

PASSED AND APPROVED

_____, March 27, 2003

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Gustavo L. Garcia

Gustavo L. Garcia
Mayor

APPROVED:

Sedra Jefferson
Sedra Jefferson
City Attorney

ATTEST:

Shirley A. Brown for
Shirley A. Brown
City Clerk

EXHIBIT "A"

December 2, 2002
Job No. 02-164

C14-02-0108

METES AND BOUNDS DESCRIPTION

BEING A 0.4713 ACRE TRACT OF LAND OUT OF THE THOMAS ANDERSON LEAGUE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND MORE PARTICULARLY BEING ALL THAT CERTAIN 0.468 ACRE TRACT OF LAND DESCRIBED BY DEED TO R & K INVESTMENTS, A TEXAS GENERAL PARTNERSHIP, RECORDED IN VOLUME 12868, PAGE 1958 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.4713 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 3/4-inch iron rod found on the northerly right of way line of U.S. Highway 290 West (ROW width varies) at the most southerly common corner of said 0.468 acre tract and the Remainder of Lot 1 of Forest Grove Subdivision, a subdivision of record in Book 86, Page 133B of the Plat Records of Travis County, Texas, for the southeasterly corner hereof;

THENCE westerly along said northerly right of way line the following two (2) courses:

1. S 88°11'10" W, 132.71 feet to a 60-penny nail found at the beginning of a curve to the right;
2. continuing westerly 18.32 feet along the arc of said curve, having a central angle of 00°21'52", a radius of 2879.79 feet and a chord which bears S 89°35'42" W, 18.32 feet to a 5/8-inch iron rod found at the common southerly corner of said 0.468 acre tract and that certain 0.555 acre tract of land described by deed to Beverly C. Smucker recorded in Volume 12540, Page 362 of the Real Property Records of Travis County, Texas, for the southwesterly corner hereof;

THENCE along the common line of said 0.468 acre tract and said 0.555 acre tract, N 08°56'26" W, 132.68 feet to a 5/8-inch iron rod found at the common corner of said 0.468 acre tract, said 0.555 acre tract and that certain 1.695 acre tract described by deed to Jimmy R. Simpson, et al, recorded in Volume 5739, Page 573 of the Deed Records of Travis County, Texas, for an angle point in the westerly line hereof;

THENCE along the common line of said 0.468 acre tract and said 1.695 acre tract, N 26°26'36" E, 43.53 feet to a 1/2-inch iron with plastic cap stamped 'McAngus Survey' set on the common line of said 0.468 acre tract and the aforementioned Remainder of Lot 1, Forest Grove Subdivision for the most northerly corner hereof;

Thence along said common line of the 0.468 acre tract and the Remainder of Lot 1, Forest Grove Subdivision the following two (2) courses:

1. S 63°02'49" E, 152.24 feet to a 1/2-inch iron rod found at an angle point in the northeasterly line hereof;

EXHIBIT "A" CONT.

December 3, 2002

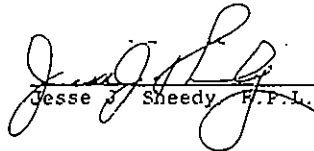
Job No. 02-164

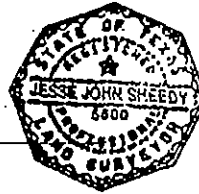
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C14-02-0188

2. S 09°40'33" E, 99.10 feet to the POINT OF BEGINNING for the end of this description which contains 0.4713 acres of land, more or less.

I HEREBY CERTIFY THAT THIS METES AND BOUNDS DESCRIPTION WAS PREPARED FROM A SURVEY PERFORMED ON THE GROUND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.


Jesse J. Sheedy, F.P.L.S. #5600



(The bearings shown hereon are referenced to the deed recorded in Volume 12868, Page 362 of the Real Property Records of Travis County, Texas.)

